

# Exhibit A



**FOR IMMEDIATE RELEASE**

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## **TxDOT Attempts to Exclude Air Quality Expert's Testimony from I-35 Expansion Trial**

**Austin, TX** — In the course of [legal proceedings](#) surrounding Rethink35's lawsuit over the I-35 expansion, TxDOT is trying to suppress [a report from Krish Vijayaraghavan](#), an environmental engineer specializing in environmental reviews and air quality modeling, who argues that TxDOT should update its environmental review for the I-35 project.

Mr. Vijayaraghavan's report highlights that current levels of fine particulate matter (PM2.5) in Travis County already exceed the stricter air quality standards recently set by the EPA, which are designed to protect human health. PM2.5 - tiny airborne particles that can penetrate the lungs and enter the bloodstream - can cause serious health problems. Short-term exposure can lead to increased hospital visits and worsening respiratory conditions, while long-term exposure can impair lung development in children and contribute to lung diseases in adults.

Highway traffic is a significant source of PM2.5 pollution, both during construction and as a result of operation—from vehicle emissions, tire and brake wear, road dust, and construction activities. With 25 years of experience, Mr. Vijayaraghavan emphasizes that analyzing PM2.5 impacts is standard practice for highway projects and should have been conducted for the I-35 Project.

Mr. Vijayaraghavan's report is fundamental to the trial. Excluding the report would keep crucial information from being heard in this trial.

"Our PM2.5 concentrations are already too high, according to EPA guidelines. If TxDOT were prioritizing the health and safety of our communities, they would be conducting these critical air quality studies," said Rethink35 Board Member, Miriam Schoenfield. "Now, faced with a lawsuit, they are resorting to desperate tactics like suppressing valuable and much-needed expert testimony."

"In order to properly consider its options, and inform the public, TxDOT needed accurate information, which Mr. Vijayaraghavan's report makes clear the agency

avoided,” said Rachel Doughty of Greenfire Law, PC, who is representing Rethink35 and co-plaintiffs. “Avoiding a fully informed consideration of the policy options available is illegal and the Court should have Rethink’s expert’s report to aid the Court in considering the record before it. The potential health ramifications are too great and the commitment of financial resources too large to allow TxDOT to move forward without the full disclosure and informed public discussion the law requires.”

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**Background:** Rethink35 is a grassroots movement fighting the planned I-35 expansion through Austin, Texas. Rethink35 along with a coalition of plaintiffs sued the Texas Department of Transportation over the project, arguing that TxDOT violated the National Environmental Policy Act through failure to consider alternatives, failure to properly assess the air quality impacts of the expansion. TxDOT has moved to strike Mr. Vijayaraghavan’s report from the record and Rethink’s counsel has filed a response. This will be the first major decision in the federal lawsuit over I-35.

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